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CHAPTER 6

PERSONNEL SECURITY INVESTIGATIONS

6-1 BASIC POLICY

1. No individual will be given access to classified information or be assigned to sensitive duties unless a favorable personnel security determination has been made regarding his/her loyalty, reliability and trustworthiness. A Personnel Security Investigation (PSI) is conducted to gather information pertinent to these determinations.

2. Only the following officials are authorized to request PSIs on individuals under their jurisdiction:

a. Commanding officers of organizations and activities listed on the Standard Navy Distribution List (SNDL); and Marine Corps List of Activities - MARCORPS 2766;

b. Director, Department of the Navy Central Adjudication Facility (DON CAF); and

c. Chiefs of recruiting stations.

3. The scope of the investigation conducted will be commensurate with the level of sensitivity of the access required or position occupied. Only the minimum investigation to satisfy a requirement may be requested. CNO (N09N2) must give prior approval to establish investigative requirements in addition to, or at variance with, those established here.

4. The Defense Security Service (DSS) or, where specified, the US Investigative Service (USIS), conducts (or controls the conduct of) all PSIs for the DON. DON elements are prohibited from conducting PSIs, including local public agency inquiries, unless specifically requested to do so by an authorized investigative agency (e.g., DSS or USIS). An exception to this restriction is made for DON overseas commands employing foreign nationals for duties not requiring access to classified material. Paragraph 6-8, subparagraph 1.n. provides further details.

5. PSIs will not normally be requested for any civilian or military personnel who will be retired, resigned, or separated with less than 1 year service remaining.

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6-2 TYPES OF PERSONNEL SECURITY INVESTIGATIONS

1. The term **Personnel Security Investigation** describes an inquiry by an investigative agency to determine the eligibility of DoD military and civilian personnel, contractor employees, consultants, and other persons affiliated with the DoD for access to classified information, acceptance or retention in the Armed Forces, assignment or retention in sensitive duties or other designated duties requiring such investigation. Investigations conducted for other basic purposes may have an impact on security clearance determinations but are not PSIs. (Examples of other types are investigations of compromise, criminal activity, sabotage, espionage or subversion.)

2. PSIs are as follows:

a. **National Agency Check (NAC).** A NAC was historically conducted for officer commissioning and provided the basis for access up to and including Secret classified information. The NAC was replaced by the National Agency Check with Local Agency and Credit Checks (NACLIC) in accordance with reference (a) for access requirements, but remains the standard for trustworthiness determinations. The NAC includes a search of the Defense Clearance and Investigations Index (DCII), Federal Bureau of Investigation (FBI) files and files of other appropriate federal government agencies (Immigration and Naturalization Service (INS), Office of Personnel Management (OPM), Central Intelligence Agency (CIA), etc.) for information relevant to suitability and personnel security determinations. A NAC is an integral part of each Single Scope Background Investigation (SSBI), Periodic Reinvestigation (PR) and Secret Periodic Reinvestigation (SPR). A technical fingerprint search of the FBI files is conducted as part of a NAC, except during a PR.

b. **Entrance National Agency Check (ENTNAC).** An ENTNAC is a NAC usually conducted to determine suitability of first-term enlistees in the Navy and Marine Corps. It includes the basic elements of the NAC but it does not include a technical fingerprint search of FBI files. For an ENTNAC, the FBI files are checked by name only. If a service member re-enlists after a break in active service greater than 24 months, a NAC (not an ENTNAC) is requested.

c. **National Agency Check with Written Inquiries (NACI).** A NACI is required by the Office of Personnel Management (OPM) for

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civilian employees for Federal Government suitability determinations. NACIs are directed by E.O. 10450 and are conducted by the USIS to meet the investigative requirements for appointment to a nonsensitive or noncritical-sensitive positions.

d. **Access NACI (ANACI).** An ANACI is conducted by USIS and includes a NACI and meets the investigative requirements for appointment to nonsensitive and non-critical sensitive positions. An ANACI also meets the reference (a) investigative requirements for Confidential and Secret security clearance eligibility. The ANACI includes a NAC, a credit check, and written inquiries covering the last 5 years to law enforcement agencies, to former employers and supervisors, to references, and to schools. USIS also conducts a Minimum Background Investigation (MBI), a Limited BI (LBI) and a Single Scope BI (which they refer to as an SBI) for agencies other than DoD. For the purposes of this regulation, an MBI or LBI is an acceptable equivalent to an ANACI.

e. **National Agency Check with Local Agency and Credit Checks (NACLIC).** A NACLIC is conducted by DSS and is required to support suitability determinations on military officers and Secret and Confidential security clearance determinations. The NACLIC includes a NAC, inquiries of law enforcement agencies and a credit check.

f. **SSBI.** An SSBI is usually conducted by DSS, as the investigative basis for Top Secret and SCI access eligibility determinations. It includes extended coverage of the subject's background to provide a complete picture of character, loyalty, trustworthiness, and reliability.

(1) Elements of an SSBI include a NAC, verification of the subject's date and place of birth, citizenship, education and employment, neighborhood interviews, developed character reference interviews, credit checks, local agency checks, public record checks (i.e., verification of divorce, bankruptcy, etc.), foreign travel, foreign connections and organizational affiliations, with other inquiries as appropriate. A subject interview is conducted, as well as a NAC of the subject's spouse or cohabitant. The scope of an SSBI covers the most recent 10 years of the subject's life or from the 18th birthday, whichever is the shorter period; however, at least the last 2 years will be covered. No investigation is conducted prior to the subject's 16th birthday. Additional investigative requirements exist for individuals requiring SCI access eligibility who have foreign national immediate family members (reference (c) applies).

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(2) SSBI's are required for assignment to Special Sensitive positions; access to Top Secret information, access to Single Integrated Operational Plan - Extremely Sensitive Information (SIOP-ESI) and access to Sensitive Compartmented Information (SCI); assignment to critical-sensitive positions, assignment to critical positions in the Nuclear Weapon Personnel Reliability Program (PRP); assignment to certain Presidential Support activities; granting non-U.S. citizens Limited Access Authorizations (LAA); assignment as a security manager, assignment as a security clearance adjudicator, or for assignment to an investigative agency as a special agent or investigative support personnel requiring continuous access to investigative files and material.

(3) Any investigation conducted by a Federal agency in accordance with National Security Decision Directive 63 (NSDD-63), meets SSBI investigative requirements. A Full Field Investigation (FFI) conducted by the FBI, State Department or U.S. Secret Service is usually equivalent to an SSBI. The FFI will be reviewed by the DON CAF to ensure that all the investigative elements have been covered.

g. Reinvestigation. A reinvestigation updates a previous investigation and is authorized only for specific duties and access. The extent of the investigative coverage for reinvestigations is proportional to the sensitivity level of the duties and/or access. There are two scopes for reinvestigations, the Periodic Reinvestigation (PR) completed to update an SSBI and the Secret or Confidential Periodic Reinvestigation (SPR) or (CPR) completed to update a NAC, ENTNAC, NACI or NACLC.

(1) **PR:** PRs are conducted on personnel whose clearance/access to SCI or Top Secret information is based on an investigation that is 5 years old or more. The PR is also required to support personnel security determinations on personnel assigned to NATO billets requiring Top Secret (COSMIC) access, assignment to Nuclear Weapons Personnel Reliability Program (PRP) critical positions, assignment to Presidential Support Activities, access to SIOP-ESI, assignment to critical-sensitive and special-sensitive positions and for Limited Access Authorizations (LAAs) for non-U.S. citizens. The PR investigative elements include: a NAC (except that a technical fingerprint check of FBI files is not conducted); a subject interview, a credit check, an employment check, neighborhood interviews, local agency checks, interviews of employers and developed character references, an ex-spouse interview, and additional investigation when warranted by the facts of the case.

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(2) **SPR or CPR:** SPRs are required by reference (a) for persons with a Secret clearance at 10-year intervals. CPRs are required by reference (a) for persons with a Confidential clearance at 15-year intervals. As an exception, SPRs are conducted at 5-year intervals for personnel in Special Access Programs (SAPs) with access to Secret classified information and those performing Explosive Ordnance Disposal (EOD) or Personnel Reliability Program (PRP) duties. The SPR and CPR include the elements of the NACLC.

h. **Special Investigative Inquiry (SII).** An SII is an investigation conducted to resolve personnel security issues which arise after a PSI is conducted, evaluated or adjudicated. SII's are scoped as necessary to address the specific matters to be resolved. They usually consist of record checks and interviews with potentially knowledgeable persons. The subject of the investigation may be interviewed to resolve conflicting information and/or to provide an opportunity to refute or mitigate adverse information. The term "SII" applies to limited inquiries, post-adjudication investigations or other additional inquiries conducted by DSS. SIIs do not cover investigations of criminal activity, sabotage, espionage, or subversion. Those are matters under the investigative jurisdiction of the NCIS. SII's are usually requested by the DON CAF.

3. When adverse or questionable information is developed during a PSI, regardless of type, the investigation is expanded to the extent necessary to substantiate or disprove the information. A personal interview of the subject will be conducted by DSS when necessary to resolve or clarify any information which may impute the subject's moral character, threaten the subject's future Federal employment, raise the question of the subject's eligibility for security clearance, or be otherwise incriminating.

4. **Hostage/Foreign Connection Investigation Interview.** For PSI purposes, a hostage situation may exist when members of an individual's immediate family, or any other person to whom the individual is bound by obligation or affection, lives in a country whose interests are contrary to the interests of the United States. In the absence of indications that the individual is being subjected to coercion, influence, blackmail, or pressure, a personal interview will be conducted by a DSS agent or, when authorized, by investigative personnel of other DoD investigative organizations. If the hostage relationship is known at the time an SSBI or PR is being conducted, DSS will include hostage situation coverage as a part of the investigation. If the hostage relationship is known at the time of

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submission of a NACI request to OPM, the commanding officer will concurrently request an SII from DSS. The request form to OPM should be annotated to indicate that an SII has been requested from DSS. The request form to DSS should be annotated to indicate that a NACI has been submitted to OPM. When there are indications that any action is being specifically directed against the individual or if there is evidence that the individual is being coerced, influenced or pressured, the case becomes a counter-intelligence matter to be referred to the NCIS.

5. **Prenomination Interview.** A prenomination interview is conducted for applicants/potential nominees for SCI access. Guidance for the conduct of the prenomination interview is provided in the Navy Supplement (NAVSUPP) to DoD Dir S-5105.21. M-1. A designee of the command to which the applicant or potential nominee is assigned will conduct the interview.

6-3 RESTRICTIONS DURING SUBJECT INTERVIEWS

Questions pertaining to an individual's sexual orientation are not permitted on personnel security questionnaires, supplemental questionnaires or screening forms, and will not be asked during subject interviews. However, an individual's sexual conduct whether heterosexual or homosexual, may be developed by investigative agencies as an issue of legitimate security concern if the individual is susceptible to exploitation or coercion, or if the conduct is indicative of a lack of the trustworthiness, reliability or good judgment required of all personnel with access to classified information.

6-4 INVESTIGATIVE REQUIREMENTS FOR PERSONNEL SECURITY CLEARANCE

1. Only United States citizens are eligible for security clearance. Guidance for validating citizenship status is found in appendix I.

2. Security clearance eligibility for access to classified information will be based on a PSI prescribed for the level of classification.

a. Top Secret. The investigative basis for Top Secret clearance eligibility is a favorably completed SSBI or PR. For those who have continuous assignment or access to Top Secret, critical sensitive positions, SCI, Presidential Support Activities, COSMIC Top Secret, LAA, PRP or SIOP-ESI, the SSBI must be updated every 5 years by a PR.

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b. Secret/Confidential. The investigative basis for Secret or Confidential clearance eligibility is a favorably completed NACLIC or ANACI. Clearances granted based on ENTNAC's NAC's or NACI's prior to NACLIC or ANACI implementation remain valid. For PRP and Secret SAP's, the NACLIC must be updated every 5-years by a SPR. For Secret and Confidential clearance, the investigation is updated every 10 and 15-years, respectively.

6-5 INVESTIGATIVE REQUIREMENTS FOR MILITARY APPOINTMENT OR ENLISTMENT

1. An ENTNAC is required for each enlisted member of the Navy and Marine Corps, including Reserve components, at the time of initial entry into the service.

2. A NACLIC is required for each commissioned officer, warrant officer, midshipman and Reserve Officer Training Corps candidate before appointment. Exceptions may be made to this general rule to allow the commissioning of Navy Reserve health professionals, chaplains, and attorneys before completion of the NAC when a need exists, if the NACLIC has been initiated and the applicant has acknowledged in writing that, if the NACLIC develops information that disqualifies the applicant as an officer candidate, he/she will be subject to discharge.

3. All derogatory information revealed during the enlistment or appointment process that results in a waiver of accession standards will be fully explained in a written summary attached to the SF 86 and submitted with the request for the required ENTNAC/NACLIC.

4. The authority to take action to deny acceptance or retention in the Navy and Marine Corps, except for loyalty reasons, is vested in the Chief of Naval Personnel and the Commandant of the Marine Corps. Cases involving loyalty issues will be forwarded to CNO (N09N2) for referral to the Secretary of the Navy for action. The procedures prescribed in SECNAVINST 1910.4B, Enlisted Administrative Separation, 29 May 96 (NOTAL), govern loyalty determinations for enlisted personnel and SECNAVINST 1920.6A, Administrative Separation of Officers, 21 Nov 83 (NOTAL) govern loyalty determinations for officer personnel.

5. A previously conducted PSI which is still valid for security clearance purposes may suffice for appointment or commissioning purposes. A new investigation is required upon reentry of officers and enlisted members if there has been a break in active service greater than 24 months.

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6. Requests for investigation for Navy and Marine Corps reserve members will be submitted by the active duty command holding the service record or exercising administrative jurisdiction.

7. Mobilization. For the purposes of partial or full mobilization under provisions of 10, U.S.C. (Title 14 pertaining to the U.S. Coast Guard as an element of the DON), the requirement for a NAC upon reentry may be waived.

6-6 INVESTIGATIVE REQUIREMENTS FOR CIVILIAN EMPLOYMENT IN SENSITIVE POSITIONS

1. A NACI is required for each civilian employee of the DON appointed to a nonsensitive position. (Note: If access to classified information is required in performance of those duties, an ANACI will always be required.)

2. An SSBI is required for each civilian employee of the DON appointed to a critical-sensitive or special-sensitive position.

3. A previously conducted NACI or SSBI may satisfy federal civilian employment suitability requirements; however, a previously conducted ENTNAC or NAC will not. A new NACI or SSBI is required for reappointment to a Federal Government position if there has been a break in service greater than 24 months.

4. The authority to deny appointment or terminate employment of civilian personnel for loyalty reasons is vested solely in the Secretary of the Navy, under procedures established in compliance with Title 5 CFR 732. Any civilian whose employment has been terminated under the provisions of Title 5 CFR 732 will not be reinstated, restored to duty or reemployed unless the Secretary of the Navy finds that such reinstatement, restoration or reemployment is clearly consistent with the interests of national security.

5. Each civilian employee appointed under civil service procedures, including consultants and Intergovernmental Personnel Act (IPA) employees, is subject to investigation to determine suitability for federal employment. Employees being reappointed are exempt from this requirement only if their break in employment is less than 24 months.

6. Temporary Employment. A NACI is the minimum requirement for civilian summer hires in noncritical-sensitive positions and nonsensitive positions of 180 days or more. For appointment to a nonsensitive position for 180 days or less an investigation is not required (e.g., summer hires, intermittent and seasonal

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appointees, or work/study and cooperative education program employees).

7. Emergency Appointments. If the appointee does not have the necessary investigative basis for appointment, he/she may be placed in a noncritical-sensitive position only as an emergency measure after: the commanding officer determines that delay in appointment would be harmful to the national security, the NACI has been requested, and a check of locally available records is favorable. The commanding officer's justification for the emergency appointment will be recorded in writing. Commands must maintain a central file of all emergency appointments for review during security and personnel management evaluations. The record of emergency appointments will include:

- a. Identifying data on the appointee to include full name, social security number, date and place of birth, position or job title;
- b. Organizational location of the position;
- c. Position sensitivity and designation criterion;
- d. Certification and justification by the commanding officer that emergency appointment is necessary. (In determining whether emergency appointment is justified; a delay in appointment may be considered harmful to the national security if regulatory requirements and mission-essential functions or responsibilities cannot be met and no other cleared or otherwise qualified personnel are available on a temporary basis to do the work.)
- e. A statement that a check of locally available records was favorable; and
- f. The date that the required PSI was requested. For a critical-sensitive position, the record will also include the date of the ENTNAC, NAC, NACI, NACLC or ANACI which formed the basis for emergency appointment.

8. To keep emergency appointments to the absolute minimum, activities must anticipate the need to fill a sensitive position and request the required investigation sufficiently in advance of the desired date of appointment.

9. Mobilization. For the purpose of mobilizing selected civilian annuitants under Title 5 U.S.C., with a break in active service greater than 24 months, investigative requirements will be expedited or waived, depending on the sensitivity of the

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position. Priority will be afforded to mobilized reemployed annuitants being assigned to intelligence and security activities with respect to granting security clearances.

6-7 INVESTIGATIVE REQUIREMENTS FOR DON CONTRACTOR PERSONNEL

1. Investigative requirements for DON contractor personnel are managed under the National Industrial Security Program (NISP). Requests for investigation of contractor personnel for security clearance eligibility are processed by the DSS Operations Center, Columbus. When Sensitive Compartmented Information (SCI) access is at issue, reference (c) applies.

2. Contractor employees who require access to DON controlled/restricted areas, sensitive information or equipment not involving access to classified information will be processed under the DON Facility Access Determination (FAD) Program. FAD program procedures are found in paragraphs 7-6 and 7-7.

3. Consultants Hired by a DON Government Contracting Activity (GCA). A consultant who is hired by a DON command or activity who will work strictly at the command/activity and requires access to classified information only at the command/activity or in connection with authorized visits, will have security clearance eligibility established under this regulation. The consultant is considered for security clearance purposes as an employee of the DON command/activity and is investigated by DSS and adjudicated by the DON CAF, as appropriate.

6-8 OTHER INVESTIGATIVE REQUIREMENTS FOR SPECIFIC PERFORMANCE OF DUTY

1. The following specific duties have assigned minimum investigative or clearance requirements:

a. Security Manager. The designated security manager of a command must have a favorably adjudicated SSBI or PR completed within the past 5 years.

b. Clearance Granting Authorities. Persons authorized to adjudicate PSIs and/or grant, deny or revoke security clearances must have a favorably adjudicated SSBI or PR completed within the past 5 years.

c. Appellate Authorities. Persons selected to serve with a board, committee, or other group responsible for adjudicating appeals of personnel security determinations must have a

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favorably adjudicated SSBI or PR completed within the past 5 years.

d. Educational and Training Programs. Persons selected for duties in connection with formal programs involving the education and training of military or civilian personnel must have a favorably adjudicated NAC/NACI prior to assignment. This requirement applies to those assigned to formal programs and does not include those incidentally involved in training. It does not apply to teachers or administrators associated with university extension courses conducted on DON installations in the United States.

e. Cryptographic Duties. Personnel assigned to cryptographic duties must have security clearance eligibility established prior to authorizing access at a level commensurate with the level of classified U. S. cryptographic information they will require. Interim security clearances are not valid for access to U.S. cryptographic information.

f. Investigative Duties. Investigative agents and other personnel assigned to investigative agencies whose official duties require continuous access to investigative files and material require a favorably adjudicated SSBI or PR completed within the past 5 years.

g. Non-Appropriated Fund (NAF). NAF employees are not Federal employees; therefore, submitting a NACI request to the OPM is not appropriate. NAF employees assigned to positions of trust within DoD require completion of a favorable NAC by DSS. A favorably completed prior investigation for Federal service will satisfy this requirement if there has not been a break in service greater than 24 months between the Federal service and employment by Non-Appropriated Fund Instrumentalities. When the individual employed in a position of trust requires access to classified information, the individual will be processed for a security clearance as directed by chapter 8.

h. American Red Cross/United Service Organization (USO). A favorably adjudicated NAC is required on American Red Cross or USO personnel as a prerequisite for assignment to activities overseas. If Red Cross or USO personnel assigned to duties with U.S. Navy or U.S. Marine Corps activities overseas will require access to classified information, they will be nominated for access as specified in paragraph 9-14.

i. Chemical Agents. Personnel whose duties involve access to or security of chemical agents require a favorably adjudicated

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NAC completed within the past 5 years before assignment, in accordance with SECNAVINST 5510.29A, Chemical Agent Security Program, 13 Mar 87 (NOTAL).

j. Customs Inspectors. DON personnel, appointed as custom inspectors under waiver require a favorably adjudicated NAC completed within the past 5 years in accordance with SECNAVINST 5840.6, Custom Inspections, 13 Apr 72 (NOTAL).

k. AIS. Personnel whose duties meet the criteria for an AIS-I designation require a favorably adjudicated SSBI or PR. The SSBI or PR will be updated every 5 years. (NOTE: AIS-I equates to a designation for civilian critical-sensitive positions. This AIS requirement also applies to military members whose duties meet the AIS-I criteria and for whom an SSBI or PR would not otherwise be justified.) A favorably adjudicated NACI for civilian personnel and a favorably adjudicated NAC for military members is required for AIS-II and AIS-III positions. Paragraph 5-3 provides a description of the AIS position designations.

l. Arms, Ammunition and Explosives (AA&E). Personnel operating a vehicle or providing security to a vehicle transporting Category I, II or Confidential AA&E require a favorably adjudicated NAC, ENTNAC or NACI.

m. Contract Guards. Contract guards require a favorably adjudicated NAC.

n. Foreign Nationals Employed Overseas. Certain record checks are required before a DON overseas command can employ a foreign national for duties not requiring access to classified information. The hiring command will request the servicing NCIS office or the military organization having investigative jurisdiction to conduct a record check of the host government law enforcement and security agencies at the city, state (province) and national level, wherever it is legally possible to do so. At the same time, the command will request the NCIS to check the DCII and, if the foreign national resided in the U.S. for 1 year or more after age 18, the Federal Bureau of Investigation-Headquarters/Identification Division (FBI-HQ/ID).

o. Nuclear Weapon Personnel Reliability Program (PRP). SECNAVINST 5510.35, Nuclear Weapon Personnel Reliability Program (PRP), 11 Oct 94, provides the standards of individual reliability required for personnel performing duties involving nuclear weapons and components. PRP requires commands to screen personnel before transferring them to training leading to PRP

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assignment. The investigative requirements for PRP assignment are based on the position designation. PRP positions are designated as either **critical** or **controlled**.

(a) **Critical PRP position.** The investigative requirement for initial assignment to a critical PRP position is a favorably adjudicated SSBI completed within the past 5 years. This requirement may also be satisfied by a favorable PR. If there is no investigation to satisfy the requirement for initial assignment, the command must request an SSBI. A PR is required every 5 years.

(b) **Controlled PRP position.** The investigative requirement for initial assignment to a controlled PRP position is a favorably adjudicated NAC completed within the past 5 years. The requirement may be satisfied by a favorably adjudicated ENTNAC, NAC, NACI, SPR, SSBI, or PR completed within the past 5 years. If there is no investigation to satisfy the requirements for initial assignment, the command must request a NACLC. A SPR is required every 5 years.

2. If an individual requires different levels of investigations to accomplish differing assignments, request the greater investigation to satisfy all requirements.

6-9 PROGRAMS WITH SPECIAL INVESTIGATIVE REQUIREMENTS

1. Executive Order 12968 establishes, to the extent possible, uniform and consistent personnel security investigative requirements. Accordingly, investigations exceeding established requirements are authorized only when mandated by statute, national regulations or international agreement. In this regard, there are certain programs originating at the national or international level that require specific investigation and unique procedures. These programs are as follows:

a. **Special Access Programs (SAPs).** Special Access Programs are discussed in paragraph 1-7 and are established in DoD under SAP Oversight Committee (SAPOC) authority. SAP requirements may include, but are not limited to, special clearance eligibility, additional adjudication, unique investigative requirements, material dissemination restrictions, and formal identification of personnel with need to know. These requirements are individually dictated by the SAP manager.

b. **Sensitive Compartmented Information (SCI).** The investigative requirement for access to SCI is a favorably adjudicated SSBI. A PR is required every 5 years. The

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requirements for SCI access are established under Director of Central Intelligence (DCI) authority (reference (c) applies). When military personnel are ordered to billets requiring SCI access, the transfer orders will identify the requirement. The losing command's security manager/SSO must ensure the required investigative requests are submitted promptly prior to transfer. If an individual is indoctrinated for SCI access, the commanding officer may not administratively lower the individual's security clearance below the Top Secret level without approval of the DON CAF.

c. Single Integrated Operational Plan-Extremely Sensitive Information (SIOP-ESI). Investigative requirements for access to Single Integrated Operational Plan (SIOP) information vary depending on whether the information to be accessed is SIOP or SIOP-ESI. OPNAVINST S5511.35K, Policy for Safeguarding the Single Integrated Operational Plan (SIOP) (U), 1 Jul 98 (NOTAL), provides administrative requirements:

(1) Access to SIOP is based on need to know and requires security clearance eligibility commensurate with the classification of the information to be accessed.

(2) Access to SIOP-ESI requires a Top Secret security clearance eligibility based on a favorably adjudicated SSBI. The SSBI need not have been completed within the past 5 years to grant access to SIOP-ESI, providing a new SSBI or PR is initiated within 30 days.

d. Presidential Support Activities (PSA). SECNAVINST 5312.12B, Selection of Department of the Navy Military and Civilian Personnel and Contractor Employees for Assignment to Presidential Support Activities, 22 Sep 83, prescribes the policies and procedures for the nomination, screening, selection, and continued evaluation of DON military and civilian personnel and contractor employees assigned to or used in PSA. There are two categories of PSA assignments, Category One and Category Two.

(1) Personnel nominated for Category One and Category Two duties must have been the subject of a favorably adjudicated SSBI completed within the 12 months preceding selection into Presidential Support duties.

(2) The U.S. citizenship of foreign-born immediate family members of all Presidential Support nominees must be verified by investigation. If the individual marries or cohabitates after completion of the SSBI, a NAC for the spouse or cohabitant must be requested.

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e. **North Atlantic Treaty Organization (NATO).** An equivalent level United States security clearance is the basis for access to NATO classified information. OPNAVINST C5510.101D, NATO Security Procedures (U), 17 Aug 82 (NOTAL), prescribes the policies and procedures for this program.

(1) The investigative basis for assignment to a NATO billet is a favorably adjudicated SSBI, PR, NACI, NAC, ENTNAC, or NACLC, depending on the level of clearance and access the billet requires. The investigation must have been completed within the 5 years preceding the assignment. Continued assignment to a NATO COSMIC billet requires a PR every 5 years. For access to NATO Secret information, an SPR is required every 5 years.

(2) For Navy military members under permanent change of station (PCS) orders to NATO billets, detailers will coordinate with the Chief of Naval Personnel (CHNAVPERS) (Pers-831) to ensure that investigations are properly completed. Pers-831 provides instructions to ensure that proper investigative requests are submitted for NATO billet candidates. Instructions will specify that the command may not execute the PCS orders until specifically released to do so by Pers-831, after verification of investigation and coordination with the DON CAF.

(3) Personnel who have access to NATO information but are not assigned to NATO billets will have a security clearance eligibility commensurate with the level of access required.

2. This regulation is not the governing instruction for the programs listed in this paragraph. Consult the governing instructions for a full description of program requirements.

6-10 RECIPROCITY

1. Investigations will not be duplicated when a previously conducted investigation meets the scope and standards for the level required. Previously conducted investigations by Federal Government agencies will be mutually and reciprocally accepted.

2. Whenever security clearance eligibility is established, agencies will not request DSS or other investigative organizations to forward prior investigative files for review unless:

a. Potentially disqualifying information is developed since the last favorable adjudication;

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b. The individual is being considered for a higher level clearance eligibility; and

c. The most recent clearance or access authorization was conditional or based on a waiver.

3. When DON personnel are assigned or detailed to other Federal agencies (i.e., DOE and NRC, etc.), the DON command that maintains the individual's service record, or official personnel file, will be responsible for initiating the required personnel security investigation. The completed investigation will be forwarded to the DON CAF for a security clearance eligibility determination.

4. When it becomes necessary for a commanding officer to grant access to personnel from another military department or DoD agency who do not have the required security clearance eligibility, the command granting access will submit the request for investigation to DSS indicating that the results are to be forwarded to the person's parent Central Adjudication Facility (CAF). The parent CAF will be responsible for expeditiously transmitting results of the security clearance determination to the requestor.

6-11 LIMITATIONS ON REQUESTING PERSONNEL SECURITY INVESTIGATIONS

1. PSIs for purposes other than allowed by this regulation are not authorized unless detailed justification has been submitted to CNO (N09N2) and approved by ASD(C3I).

2. Before requesting an investigation, activities must determine that the individual does not have an investigation which satisfies the requirements.

3. Requests for PSIs will not normally be submitted on any civilian or military personnel who will be retired, resigned, or separated with less than 1 year service remaining.

4. Review of Prior Investigations. Prior personnel security investigations may only be requested for review in support of an official requirement. Official requirements include determining eligibility for special access, critical PRP positions, or assignment to special-sensitive duties; acceptance or retention in the Armed Forces; or appointment or retention in civilian employment. All requests must be fully justified and forwarded to Director, Naval Criminal Investigative Service (NCIS), Code 27D, Building 111, Washington Navy Yard, 716 Sicard St., S.E., Washington, D.C. 20388-5380. Requests should fully identify the

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subject and include the social security number, and the date and place of birth. The justification for the request will acknowledge that there is no connection to a clearance adjudication.

6-12 COMMAND RESPONSIBILITIES REGARDING PERSONNEL SECURITY INVESTIGATION REQUESTS

1. There are certain functions necessary to support an efficient PSI process that are performed by the requesting command prior to submission of a PSI request. The functions are as follows:

a. **Verification of Prior Investigation.** Determine if the required investigation already exists. If available check the DCII. (Guidelines for accessing the DCII are found in appendix E). If DCII access is not available for Navy and Marine Corps civilians, check in the Official Personnel Folder (OPF). For Navy military members check the service record and/or the Officer Distribution Control Report (ODCR), or Enlisted Distribution Verification Report (EDVR). For Marine Corps military members check the Marine Corps Total Force System (MCTFS). Finally, if unable to determine if a current investigation exists at the local command, contact the DON CAF. If the DON CAF confirms no investigative basis is present or if there has been a break in service greater than 24 months since the date of the individual's last investigation, submit a request for the required PSI.

b. **Local Records Check (LRC).** A local records check (LRC) consists of a review of available personnel, medical, legal, security, base/military police and other command records to determine if locally available disqualifying information exists. A review of local civilian law enforcement records, the National Crime Information Center (NCIC), and the servicing (NCIS) office is prohibited because the information gleaned from these sources may not, in fact, pertain to the individual which in turn may cause the command not to hire, resulting in the lack of due process rights.

c. **Validate Citizenship.** Commands are required to validate citizenship of individuals subjected to a PSI. (Remember only U.S. citizens are eligible for security clearance.) Procedures for validating citizenship are contained in appendix I.

d. **Verify Date and Place of Birth and Education.** When requesting an SSBI, commands will attempt to validate subject's date and place of birth and most recent or most significant claimed education. Date and place of birth may be validated through review of available personnel records. The subject may

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provide a diploma or transcript to validate education. If verification is not accomplished, advise DSS in the "Remarks" section of the request form. Verification of date and place of birth and education are required elements of an SSBI and will be conducted by DSS if the request form indicates the requestor was unable to accomplish the verification.

e. Ensure the request is completed according to instruction and prepared using the EPSQ or current forms to preclude rejection by DSS.

2. Document your efforts to validate and verify the required information where appropriate.

3. **Catch 'Em In Conus.** The Catch 'Em in CONUS program was adopted by DSS to reduce completion times for SSBI and PRs on subjects ordered to overseas assignments (to include Adak, Alaska) or extended deployment. DSS has established the "Catch 'Em in CONUS" Program, aimed at completing as much of an SSBI or PR as possible prior to the subject's departure. Commands will:

a. Identify individuals requiring SSBI or PRs to support scheduled overseas PCS assignment or deployment with sufficient time for DSS to complete necessary local leads.

b. Submit the SSBI or PR to DSS. Annotate in the "Remarks" section of the DD 1879, "Catch Em in CONUS" and send the request package to the attention of "DSS, Operations Center, Baltimore, Team F."

c. Contact the local DSS office as soon as possible, no later than 90 days prior to the individual's departure, allowing DSS to accomplish the case opening and subject interview leads. The local DSS office will accept a copy of the request package; conduct the subject interview and the local leads.

4. **Pre-Nomination Interview.** Before a request for an SSBI for SCI access is submitted to DSS, the nominee must undergo a pre-nomination interview. Unfavorable information developed during the pre-nomination interview that is not fully explained in the applicable remarks sections of the SF 86, will be explained in a written report which identifies the interviewer and is attached to the DD 1879 requesting the SSBI (refer to reference (c)).

Note: Individuals who are in or selected for command status (CO/XO) do not require a pre-nomination interview.

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6-13 ELECTRONIC PERSONNEL SECURITY QUESTIONNAIRE

1. DSS requires all requestors to use the Electronic Personnel Security Questionnaire (EPSQ) when requesting a personnel security investigation from DSS. The EPSQ is a complete software package used to request all DSS investigations, designed to gather and validate personnel security information and send that information to DSS for investigation. It speeds the investigative process by ensuring questionnaire information is accurately and completely provided and delivering questionnaire information in a format that allows DSS to instantly open the investigation without processing delays.

2. The EPSQ software and customer instruction manuals are available free of charge if downloaded from the DSS Web site at: www.dis.mil.

3. Customers who cannot download the EPSQ from the Web site may request the EPSQ software on diskette at a cost from the Defense Technical Information Center (1-800-225-3842) at 8725 John J. Kingman Rd, Suite 0940 (Code BRR), Ft. Belvoir, VA 22060. The DSS Customer Service Center (1-800-542-0237) is available to answer questions and provide technical assistance on EPSQ matters.

4. The EPSQ information can be forwarded to DSS electronically, it can be copied on a 3-1/2" diskette and mailed to DSS "ATTN: EPSQ DISKETTE PROCESSING," or the questionnaire information may be printed and mailed to DSS in printout format. When electronically submitting an EPSQ, commands must separately mail the fingerprint cards to DSS when they are required.

5. Commands requesting investigations using the EPSQ are also required to forward the signed authority for release of information to DSS. EPSQ requests forwarded to DSS on diskettes must be accompanied by the signed release form. Users of EPSQ 2.x may scan and electronically transmit the signed release with the EPSQ. Signed release forms for all other electronically transmitted EPSQ's will be forwarded to:

DSS-OCB
P. O. Box 28989
Baltimore, MD 21240-8989

6-14 PREPARATION AND SUBMISSION OF INVESTIGATIVE REQUESTS

1. The US Investigative Service (USIS) is not equipped to use the EPSQ and requires submission of standard investigative

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request forms. For investigative requests submitted to USIS, or when logistical or technical problems prohibit EPSQ submission to DSS, commands will use the following approved Standard Forms: Standard Form (SF) 86, Questionnaire for National Security Positions, SF 85P, Questionnaire for Public Trust Positions, SF 85, Questionnaire for Nonsensitive Positions and the SF 86A, Continuation Sheet for Questionnaires SF 86, SF 85P and SF 85 when additional space for documentation is required. Additionally, the DD Form 1879, DoD Request for Investigation and SF 87, OPM fingerprint card, DD 2280, Armed Forces Fingerprint Card and FD 258, Applicant Fingerprint Card are also used.

2. Requests for investigation using standard forms will be submitted as follows:

a. ENTNAC - required to support suitability determinations for military enlisted accessions. The PSI request package will be submitted to DSS using the SF 86 and one DD 2280.

b. NAC - required to support trustworthiness determinations, e.g., for child care providers, etc. The PSI request package will be submitted to DSS using the SF 85P and a FD 258, Applicant fingerprint card.

c. NACI - required to support suitability determinations for civilian employees assigned to non sensitive duties without access to classified information. The PSI request package will be submitted to USIS using the SF 86, the SF 87, a resume or equivalent and an OF 306, Declaration for Federal Employment.

d. ANACI - required for civilian employees in noncritical sensitive positions and those who will require access to Confidential and Secret classified information. The ANACI request will be submitted using the NACI request forms and procedures, indicating "ANACI - 09B", under item A "Type of Investigation."

e. NACLC - required to support suitability determinations on military officer accessions and Secret and Confidential security clearance determinations for military members. The PSI request package will be submitted to DSS using the SF 86 and FD 258.

f. SPR and CPR - required to support the continuous evaluation of civilian employees and military members with access to Secret and Confidential classified information and other programs requiring an SPR. The SPR request will be submitted to DSS using the SF 86.

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g. **SSBI** - required to support security and suitability determinations for civilian employees and military members requiring access to Top Secret information and/or SCI, assignment to critical-sensitive positions and other identified programs. The SSBI request will be submitted to DSS using a DD 1879, SF 86 and two FD 258 fingerprint cards. (The DD 1879 is submitted instead of filling out Part 1, items A - P of the SF 86.)

h. **PR** - required to support the continuous evaluation of civilian employees and military members with access to Top Secret information and/or SCI and other identified programs requiring a PR. The PR request will be submitted to DSS using a DD 1879 and an SF 86. **Fingerprint cards are not required.**

i. **SII** - required to prove or disprove allegations concerning an individual on whom a PSI has been conducted. The SII request package will be submitted to the DON CAF using the DD 1879 and an SF 86 under cover of an OPNAV 5510/413. The DON CAF will coordinate the investigative effort with DSS and the command and take necessary follow-up action.

6-15 MAINTAINING QUESTIONNAIRE INFORMATION

1. A tickler copy of the above requests may be locally retained to enable future tracer actions. Additionally, commands may maintain copies of completed questionnaires as a service to personnel, to aid personnel with future reinvestigation questionnaire requirements. Commands must ensure appropriate protection of completed questionnaires and will ensure copies are destroyed when no longer required.

2. Requesting an individual to prepare a questionnaire using the EPSQ or paper form for PSI purposes constitutes solicitation of personal information which is protected by the Privacy Act of 1974. Commanding officers have a responsibility to ensure that the information provided by the individual receives the appropriate protection.

3. If an individual refuses to provide or permit access to relevant information for investigative purposes, after being advised of the effect of refusal, commands will terminate the PSI request process. The individual will not be eligible for access to classified information or assignment to sensitive duties unless the information is made available. If the individual is currently cleared for access to classified information and/or is performing sensitive duties, the matter will be referred to the DON CAF for action. Personnel indoctrinated for SCI access will be debriefed for cause (refer to reference (c)).

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6-16 FOLLOW-UP ACTIONS ON INVESTIGATIVE REQUESTS

1. Rejection of Investigation Requests. When the investigation request is rejected by the investigative agency because the forms were not completed and the investigation is still required, commands must take corrective action **immediately** and resubmit the request. All forms being resubmitted and the tickler copy of the request form will be annotated with the resubmission date. If a military subject has been transferred, the rejected PSI request must be forwarded immediately to the gaining command for correction and resubmission.

2. Cancellation of Investigation Requests. When an investigation is in a pending status and the subject is released from active duty, discharged, resigns, or circumstances change that negate the need for the investigation, the command that requested the investigation will notify the DON CAF. The DON CAF will direct the investigative agency, as appropriate, to cancel the investigation.

3. ENTNAC Follow-up. An ENTNAC must be completed on each first-term enlistee. If a first-term enlistee is received without evidence that the ENTNAC has been requested or completed, the receiving command must ensure an ENTNAC is conducted by submitting the request to DSS using the EPSQ, if available, the SF 86 and a FD 258, fingerprint card. The following directions will be used to ensure completion of the paper form ENTNAC request:

a. On the SF 86, Part 1, place an "E" in Item "H" and type or write "Applicant" in Item "I."

b. On the FD 258, type the term "military enlistee" in place of the word "applicant".

c. If more than 24 months has lapsed since enlistment, follow the procedures for requesting a NAC.

4. Transfer of a Military Subject of Investigation. When a military member is transferred after an SSBI has been requested, the losing command will notify DSS by submitting a corrected copy of the DD 1879. The address and Unit Identification Code/Reporting Unit Code (UIC/RUC) of the gaining command and the effective date of transfer must be entered in item 18, "Remarks."

5. Tracer Action. When it appears that it is taking an inordinate amount of time to receive investigation results, a tracer may be submitted to the DON CAF using a copy of an OPNAV

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5510/413, Personnel Security Action Request. The word "TRACER" will be boldly printed or stamped in large letters. Exhibit 6A provides an OPNAV 5510/413 form example. **Tracers for USMC military members may be made through the MCTFS.** To obtain the status of a DSS investigation, call DSS customer service at 1-888-282-7682 or DSN 850-7682. The following time-lines should be used to determine if tracer action is appropriate:

TYPE OF INVESTIGATIVE BASIS REQUESTED	MINIMUM TIME FOR TRACER
ENTNAC/NAC	90 days
NACI/ANACI	75 days
NACLC	180 days
PR	180 days
SSBI/SII	180 days

6. Follow-up requirements and tracer actions when interim clearances have been granted are described in paragraph 8-5.4.

6-17 PROCESSING COMPLETED REPORTS OF INVESTIGATION

1. All PSIs conducted for DON activities are forwarded to the DON CAF upon completion. The DON CAF will make a personnel security determination based on the requirements identified on the PSI request.

2. When the PSI contains information that indicates further investigation is necessary, adjudication of the PSI will be held in abeyance pending completion of the additional investigative leads. Interim clearance and access will not be granted in these situations.

3. The DON CAF will formally notify commands of the completion of the investigation and the DON CAF determination. Additionally, investigations and the DON CAF determinations will be reflected as appropriate on PCS orders, in the ODCR, EDVR, MCTFS or Defense Civilian Personnel Data System (DCPDS) and the DCII.

4. Investigations requested to support trustworthiness determinations and non-sensitive positions are not adjudicated by the DON CAF. These investigations are forwarded by the DON CAF to commands for the appropriate trustworthiness and suitability determination. Investigations requested for sensitive positions that uncover suitability issues are forwarded to the command for the appropriate suitability determination before the DON CAF security determination is possible. After the command

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suitability determination is made, the investigative results must be returned to the DON CAF for a security determination.

6-18 SAFEGUARDING REPORTS OF INVESTIGATION

1. In recognition of the sensitivity of personnel security reports and records, particularly with regard to personal privacy, results of investigations must be handled with the highest degree of discretion. Any investigative material, favorable or unfavorable, must be handled, stored, and transmitted using the following safeguards:

a. Investigative reports will be made available only to those authorities who require access in the performance of their official duties for the purposes of determining eligibility for access to classified information and/or assignment to sensitive duties; acceptance or retention in the Armed Forces; appointment or retention in civilian employment; or for law enforcement and counterintelligence purposes.

b. PSIs will not be made available for or communicated to selecting officials. For any other uses, specific written approval must be obtained from ASD(C3I) via CNO (N09N2).

c. Reproduction of investigative reports is restricted to the minimum required for the performance of official duties. All copies of PSIs will be destroyed as soon as final action is taken.

d. Retention of copies of PSIs longer than 120 days after final action has been completed must be specifically approved, in writing, by the investigating agency.

e. Investigative reports will be stored in a vault, safe, or steel filing cabinet having at least a lockbar, an approved three-position dial-type combination padlock, or in a similarly protected container or area.

f. Reports of investigation may not be shown or released to the subject of the investigation without the specific approval of the investigating agency. **Under no circumstances will reports of investigation be placed in the subject's personnel record or any record to which the subject may have access.**

g. When being transmitted by mail, or carried by persons not authorized to receive these reports, reports of investigations must be sealed in double envelopes or covers. The inner

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container will bear a notation that it is to be opened only by an official designated to receive reports of PSIs.

h. If the results of an investigation are received after the subject has been transferred within DON, the transferring command will forward the results to the gaining command, as appropriate.

2. Results of DSS investigations may not be released outside DoD without the specific approval of DSS.

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EXHIBIT 6A

PERSONNEL SECURITY INVESTIGATIONS

	FORMS * REQUIRED	HOW MANY TO SEND	MAIL TO
SSBI	DD 1879 SF 86 FD 258	3 5 2	DEFENSE SECURITY SERVICE OPERATIONS CENTER BALTIMORE P.O. BOX 18585 BALTIMORE, MD 21240-8585
SSBI-PR	DD 1879 SF 86	3 5	DEFENSE SECURITY SERVICE OPERATIONS CENTER BALTIMORE P.O. BOX 18585 BALTIMORE, MD 21240-8585
SPR or CPR	SF 86	1	DEFENSE SECURITY SERVICE OPERATIONS CENTER BALTIMORE P.O. BOX 28989 BALTIMORE, MD 21240-8989
NAC or NACLC	SF 86 FD 258	1 1	DEFENSE SECURITY SERVICE NATIONAL AGENCY CHECK DIVISION OPERATIONS CENTER BALTIMORE P.O. BOX 28989 BALTIMORE, MD 21240-8989
ENTNAC	SF 86 DD 2280	1 1	DEFENSE SECURITY SERVICE NATIONAL AGENCY CHECK DIVISION OPERATIONS CENTER BALTIMORE P.O. BOX 28989 BALTIMORE, MD 21240-8989
NACI or ANACI	SF 86 SF 87	1 1	OFFICE OF PERSONNEL MANAGEMENT OFFICE OF FEDERAL INVESTIGATIONS P.O. BOX 618 BOYERS, PA 16018
FAD NAC or TNAC	SF 85P	1	DEFENSE SECURITY SERVICE NATIONAL AGENCY CHECK DIVISION OPERATIONS CENTER BALTIMORE P. O. BOX 28989 BALTIMORE, MD 21240-8989

* When using the EPSQ without electronic submission, the EPSQ data will be mailed to the address indicated above.

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EXHIBIT 6B

REPORT SYMBOLS

<u>Title</u>	<u>Report Symbol</u>	<u>Paragraph</u>
Report of Adverse or Unfavorable Action	DD-OPNAV 5510-1	8-8, 8-9, 8-10, 9-3, 9-18, 10-5
Report of Sabotage, Espionage, or Deliberate Compromise	OPNAV 5510-6D	3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 4-5, 4-11

EXHIBIT 6C

PROCUREMENT OF FORMS

The forms and stock numbers listed below are used to support the Personnel Security Program. These forms can be procured through the normal supply channels.

a. The following forms may be ordered from the Navy supply system:

DD 254	Contract Security Classification Specification (12-90) S/N 0102-LF-011-5800
DD 1879	DoD Request For Personnel Security Investigation (Rev. 9/95) S/N 0102-LF-020-1600
DD 2280	Armed Forces Fingerprint Card (Rev. 4-87) S/N 0102-LF-002-2801
OPNAV 5510/413	Personnel Security Action Request (Rev. 1-94) S/N 0107-LF-017-1300
OPNAV 5511/14	Security Termination Statement (Rev. 7-78) S/N 0107-LF-055-1171
OPNAV 5520/20	Certificate of Personnel Security Investigation, Clearance and Access (Rev. 11-79) S/N 0107-LF-055-2101
OPNAV 5521/27	Visit Request/Visitor Clearance Data (Rev. 9-92) S/N 0107-LF-015-1100
FD 258	Applicant Fingerprint Card S/N 0104-LF-400-8610

b. The following forms may be ordered from the General Services Administration:

SF 85	Questionnaire for Non-Sensitive Positions (Rev. 9/95) NSN 7540-00-634-4035
SF 85P	Questionnaire for Public Trust Positions (Rev. 9/95) NSN 7540-01-317-7372

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SF 85P-S	Supplemental Questionnaire for Selected Positions (Rev. 9/95) NSN 7540-01-368-7778
SF 86	Questionnaire for National Security Positions (Rev. 9/95) NSN 7540-00-634-4036
SF 86A	Continuation Sheet for Questionnaires SF 86, SF 85P, and SF 85) (Rev. 9/95) NSN 7540-01-268-4828
SF 87	OPM Fingerprint Card (Rev. 4/84) NSN 7540-00-634-4037
SF 312	Classified Information Nondisclosure Agreement (Rev. 1/91) NSN 7540-01-280-5499